

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAVID P. SMITH-DAYE,

Plaintiff,

v.

ORDER

24-CV-3555 (PMH)

CITY OF POUGHKEEPSIE,

Defendant.

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Plaintiff, who is proceeding *pro se* and *in forma pauperis*, commenced this action on May 2, 2024. (Doc. 1). Defendant's request for permission to move to dismiss Plaintiff's Complaint was granted on January 29, 2025 and the Court entered a briefing schedule. (Doc. 17). On February 27, 2025, Defendant filed its motion to dismiss. (Doc. 18). Plaintiff's opposition was due by March 31, 2025. To date, Plaintiff has not filed an opposition to the motion or sought an extension of time to file an opposition brief.

Given Plaintiff's *pro se* status, the Court *sua sponte* extends plaintiff's time to oppose the motion to dismiss until May 5, 2025. Defendant's reply, if any, is due May 19, 2025.

If plaintiff fails to file his opposition by May 5, 2025, the motion will be deemed fully submitted and unopposed. No further extensions of time will be granted.

The Clerk is instructed to mail a copy of this Order to plaintiff at the address on the docket.

SO ORDERED:

Dated: White Plains, New York
April 4, 2025



PHILIP M. HALPERN
United States District Judge